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W.P.No.26647 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.26647 of 2024

L.Premavathy

...Petitioner

Vs.

1. The District Collector,
Tiruvallur District,
Tiruvallur.
2. The Tahsildar,
Maduravoyal Taluk,
Tiruvallur District.
3. The Principal Commissioner and
Commissioner of Land Reforms,
Chepauk, Chennai - 600 005.
4. The Assistant Commissioner Urban Land Tax,
Kunrathur,
153, Karuneegar Road,
Adambakkam, Chennai - 600 088.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's application dated 10.07.2024 and issue patta to the petitioner for her land situated at Plot No.19, Venkateshwara Avenue, Sabari Nagar,



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Porur, Chennai - 600 116 comprised in Survey No.51/2, in an extent of 2,412 sq.ft. situated in Porur Village, Maduravoyal Taluk, Tiruvallur District without requiring NOC from the fourth respondent.

For Petitioner : Mr.J.Saravana Vel

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to consider her application dated 10.07.2024 and issue patta to her for her land situated at Plot No.19, Venkateshwara Avenue, Sabari Nagar, Porur, Chennai - 600 116 comprised in Survey No.51/2, in an extent of 2,412 sq.ft. situated in Porur Village, Maduravoyal Taluk, Tiruvallur District without requiring NOC from the fourth respondent.

2. According to the petitioner the above mentioned land was the subject matter of urban land ceiling proceedings initiated by the competent authority. The above said land was declared as surplus land vide notice dated 19.02.1996 issued under Section 9 (5) of the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978. The said notice was quashed by this Court, at the



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instance of the petitioner in WP.No.21917 of 2003, by order dated 19.03.2013.

Thereafter, the petitioner filed an application dated 10.07.2024 seeking mutation of Revenue Records in her name based on the orders passed by this Court quashing the Urban Land Ceiling proceedings. The said application has not been considered till date. Therefore, the petitioner is before this Court.

3. The learned Counsel appearing for the petitioner submitted when the Urban Land Ceiling and Regulation notification was quashed by this Court in W.P.No. 21917 of 2003 filed by the petitioner, the second respondent has no other option but to mutate the name of the petitioner.

4. Mr.P.Sathish, learned Additional Government Pleader, who takes notice for the respondents would submit that against the order passed by this Court in W.P.No.21917 of 2003, the fourth respondent has filed a writ appeal in SR.No.9957 of 2016 with a delay and the delay petition is pending.

5. The order was passed by this Court as early as 19.03.2013 quashing the Urban Land Ceiling proceedings. The said order was said to have been



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challenged by the fourth respondent in WA.SR.No.9957 of 2016 with a delay but till date the appeal has not been numbered. In such circumstances, the second respondent has no other go but to consider the representation of the petitioner dated 10.07.2024 in the light of the order passed in W.P.No. 21917 of 2003, especially when the said order has not been stayed and writ appeal is not yet numbered and entertained.

6. In view of the same, the second respondent is directed to consider the petitioner's claim made in the representation dated 10.07.2024 in the light of the order passed by this Court in W.P.No.21917 of 2003 dated 19.03.2013 and pass final orders, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of.
No costs.

10.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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S. SOUNTHAR, J.

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